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within a Web server log. The requested Web page is then dynamically generated using a template for the requested Web page and one or more content objects. Exemplary content objects include, but are not limited to, text files, audio files, video files, image files, and hyperlinks. Each content object has a respective unique identifier associated therewith. The stored record of the user request is then appended with each identifier for respective content objects included within the displayed Web page.

The present invention is advantageous because a plurality of stored user request records appended with content object identifiers, according to the present invention, can be analyzed to determine the type of content a user views as well as the time spent viewing the content. Furthermore, the efficacy of certain content within a viewed Web page can be determined via the present invention. For example, if particular content is generally ignored by users (*e.g.*, users do not follow hyperlinks contained within the content), a Web site owner can relocate or reformat the particular content.

## II. The Anticipation Rejections

### A. Independent Claim 1

Applicants' independent Claim 1 recites a method of associating dynamically generated Web page content with a user who requests a Web page from a Web server, comprising:

storing a record of the user request within a Web server log;  
generating the requested Web page, wherein the generated Web page includes *a content object having a unique identifier associated therewith*;  
serving the generated Web page to the Web client; and  
*appending the stored record of the user request with the unique identifier associated with the content object* included within the generated Web page.

The Action states that Blumenau discloses each of the elements of Claim 1 (Action, page 2) and cites the following specific portions of Blumenau in support thereof:

storing a record of the user request within a Web server log;	Blumenau, Col. 2, Lines 20-36.
generating the requested Web page, wherein the generated Web page includes <i>a content object having a unique identifier associated therewith</i> ;	Blumenau, Col. 2, Lines 20-36.



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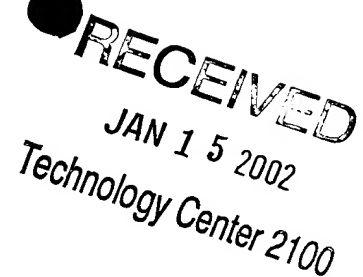
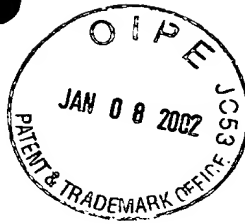
serving the generated Web page to the Web client; and	Blumenau, Col. 2, Lines 20-36.
<i>appending the stored record of the user request with the unique identifier associated with the content object included within the generated Web page.</i>	Blumenau, Col. 2, Lines 20-52.

Blumenau does not describe a content object having a unique identifier associated therewith. Neither does Blumenau describe appending the stored record of a user request with the unique identifier associated with the content object. The passage of Blumenau (Col. 2, Lines 20-52) cited by the Action as teaching these elements is reproduced below:

Upon receipt of the request, the server computer at the content provider site 101 transfers a file representing the Web page (which, in the current implementation of the World Wide Web, is an html file) to the client computer at the content display site 102, as shown in FIG. 1B. This file can itself reference other files (that may be stored on the server computer at the content provider site 101 and/or on other server computers) that are also transferred to the content display site 102. The browser can use the transferred files to generate a display of the Web page on the client computer at the content display site 102. The http daemon, in addition to initiating the transfer of the appropriate file or files to the content display site 102, also makes a record of requests for files from the server computer on which the daemon resides. The record of such requests is stored on the server computer at the content provider site 101 in a file 104 that is often referred to as a "log file."

The exact structure and content of log files can vary somewhat from server computer to server computer. However, generally, log files include a list of transactions that each represent a single file request. Each transaction includes multiple fields, each of which are used to store a predefined type of information about the file request. One of the fields can be used to store an identification of the file requested. Additional fields can be used to store the IP (Internet Protocol) address of the client computer that requested the particular file, the type of browser that requested the file, a time stamp for the request (i.e., the date and time that the request was received by the server computer), the amount of time required to transfer the requested file to the client computer, and the size of the file transferred. Other information about file requests can also be stored in a log file.

As can be clearly seen, nothing in the cited passage describes or suggests generating a requested Web page, wherein the generated Web page includes a *content object having a unique identifier associated therewith* and/or *appending the stored record of the user request with the unique identifier associated with the content object* included within the generated Web page. Applicants respectfully request the Examiner to specifically identify where in the cited passage (or in any passage of Blumenau) these recited elements ("*content object having a unique identifier associated therewith* " and "*appending the stored record*



*of the user request with the unique identifier associated with the content object")* are described.

Because Blumenau does not describe each and every element of independent Claim 1, Applicants respectfully submit that independent Claim 1, and all claims (Claims 2-8) dependent therefrom, are not anticipated by Blumenau. For similar reasons, Applicants respectfully submit that Claims 20-27 and 39-46 are not anticipated by Blumenau.

### **B. Independent Claim 9**

The Action states that "Claim 10 includes the limitations of claim 2, and is rejected under the same rationale." (Action, Page 3). Applicants traverse this rejection because Claim 10 is dependent from independent Claim 9 which recites a method of associating dynamically generated Web page content with a user who requests a Web page from a Web server, comprising:

- storing a record of the user request within a Web server log;
- generating the requested Web page, wherein the generated Web page includes first and second content objects having respective unique first and second identifiers associated therewith, comprising the steps of:
  - retrieving a layout template for the requested Web page, wherein the layout template defines how content objects are displayed within the requested Web page;
  - retrieving the first and second content objects; and
  - combining the first and second content objects and the layout template to produce the requested Web page;
- serving the generated Web page to the Web client; and
- appending the stored record of the user request with the first and second identifiers associated with the first and second content objects included within the generated Web page.

Blumenau fails to describe various recited elements of independent Claim 9. For example, Blumenau fails to describe first and second content objects having respective unique first and second identifiers. Blumenau fails to describe generating a Web page comprising the following recited steps: 1) retrieving a layout template for the requested Web page, wherein the layout template defines how content objects are displayed within the requested Web page; 2) retrieving the first and second content objects; and 3) combining the first and second content objects and the layout template to produce the requested Web page. Applicants

respectfully request the Examiner to specifically identify where in Blumenau these recited elements are described.

Because Blumenau does not describe each and every element of independent Claim 9, Applicants respectfully submit that independent Claim 9, and all claims (Claims 10-12) dependent therefrom, are not anticipated by Blumenau. For similar reasons, Applicants respectfully submit that Claims 28-31 and 47-50 are not anticipated by Blumenau.

### **C. Independent Claim 13**

The Action states that "Claim 14 includes limitations of claim 1, and is rejected under the same rationale." (Action, Page 4). The Action also states that "Claim 15 includes limitations of claim 2, and is rejected under the same rationale." (Action, Page 4). Applicants traverse these rejections because Claims 14 and 15 are dependent from independent Claim 13 which recites a method of collecting information about the preferences of Web site visitors comprising:

associating dynamically generated Web page content with a user who requests a Web page from a Web server via a Web client in communication with the Web server.

Blumenau fails to describe associating dynamically generated Web page content with a user who requests a Web page. Applicants respectfully request the Examiner to specifically identify where in Blumenau this recited element is described.

Because Blumenau does not describe each and every element of independent Claim 13, Applicants respectfully submit that independent Claim 13, and all claims (Claims 14-19) dependent therefrom, are not anticipated by Blumenau. For similar reasons, Applicants respectfully submit that Claims 32-38 and 50-57 are not anticipated by Blumenau.

In view of the above, withdrawal of the rejections under 35 U.S.C. §102(e) is respectfully requested.

### **III. The Obviousness Rejections**

To establish a prima facie case of obviousness, the prior art reference, or references when combined, must teach or suggest *all* the recitations of the claims, and there must be some suggestion or motivation, either in the references themselves or in the

knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. M.P.E.P. § 2143. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also **suggests the desirability** of the combination. M.P.E.P. § 2143.01, citing *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990). As recently emphasized by the Court of Appeals for the Federal Circuit, to support combining references, evidence of a suggestion, teaching, or motivation to combine must be **clear and particular**, and this requirement for clear and particular evidence is not met by broad and conclusory statements about the teachings of references. *In re Dembiczak*, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999). In an even more recent decision, the Court of Appeals for the Federal Circuit has stated that, to support combining or modifying references, there must be particular evidence from the prior art as to the **reason** the skilled artisan, with no knowledge of the claimed invention, **would have selected these components for combination in the manner claimed**. *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000).

#### **A. Independent Claim 1**

Regarding independent Claim 1, the Action states that Wodarz teaches the steps of "generating the requested Web page, wherein the generated Web page includes a content object having a unique identifier associated therewith" and "serving the generated Web page to the Web client", and cites Col. 3, Line 39 - Col. 4, Line 15 of Wodarz in support thereof. The Action concedes that Wodarz does not disclose "storing a record of the user request within a Web server log" and "appending the stored record of the user request with the unique identifier associated with the content object included within the generated Web page." The Action, however, states that Blumenau discloses these missing steps in Col. 2, lines 20-52 and concludes that it would have been obvious to combine Wodarz and Blumenau "to help the server to provide web pages which based on the user specific characteristics as Wodarz disclosed 'selection of ads to provide to the user are based on user specific characteristic', since storing 'a record of the user request within a web server log' and 'unique identifier associated with the content object included within the generated web page' of

Blumenau would have helped the server keep track of the user's information and activity."  
(Action, pages 5-6).

However, as discussed above, the cited passage of Blumenau does not teach or suggest "appending the stored record of the user request with the unique identifier associated with the content object included within the generated web page." Accordingly, neither the primary reference, Wodarz, nor the secondary reference, Blumenau, teaches or suggests *all* of the recitations of independent Claim 1 as required by the Federal Circuit.

Col. 2, Lines 37-52 of Blumenau, a passage relied upon by the Action in support of the rejections, is set forth below:

The exact structure and content of log files can vary somewhat from server computer to server computer. However, generally, log files include a list of transactions that each represent a single file request. Each transaction includes multiple fields, each of which are used to store a predefined type of information about the file request. One of the fields can be used to store an identification of the file requested. Additional fields can be used to store the IP (Internet Protocol) address of the client computer that requested the particular file, the type of browser that requested the file, a time stamp for the request (i.e., the date and time that the request was received by the server computer), the amount of time required to transfer the requested file to the client computer, and the size of the file transferred. Other information about file requests can also be stored in a log file." (Col. 2, Lines 37-52).

Statements within this passage, such as "the exact structure and content of log files can vary somewhat from server computer to server computer" and "generally, log files include a list of transactions that each represent a single file request...each transaction includes multiple fields, each of which are used to store a predefined type of information about the file request" do not provide clear and particular evidence that suggests, teaches or motivates the skilled artisan to modify either Blumenau or Wodarz to include "appending the stored record of the user request *with the unique identifier associated with the content object* included within the generated web page" as recited in Applicants' independent Claim 1. Based upon a fair reading of Blumenau, and the above passage in particular wherein it is stated the exact structure and content of log files can vary, it is just as likely that one skilled in the art would not be motivated to append a stored user request record with a unique identifier of a content object.

Accordingly, because neither Wodarz nor Blumenau describe all of the elements of Applicants' independent Claim 1 and because neither Wodarz nor Blumenau contains clear and particular evidence of a suggestion or motivation to append a stored user request record with a unique identifier of a content object, independent Claim 1 and all claims dependent therefrom (Claims 2-8) are patentable over Wodarz and Blumenau, alone or in combination. For at least the same reasons, Claims 20-27 and 39-46 are patentable. As such, withdrawal of the present rejections under 35 U.S.C. §103 is respectfully requested.

#### **B. Independent Claim 9**

Regarding independent Claim 9, the Action states that Claim 9 "includes limitations of claims 1 and 3, and is rejected under the same rationale of these claims." (Action, page 8). The Action states that "Claim 9 is different from claims 1 and 3 is [sic] the generated web page includes first and second content objects having respective unique first and second identifiers associated therewith." (Action, page 8). The Action then states that "Wodarz also discloses the generated web page includes many advertisement objects having respective identifiers" and cites Col. 1, lines 35-52 in support thereof. (Action, page 8).

However, as discussed above with respect to independent Claim 1, neither Wodarz nor Blumenau, alone or in combination, teach or suggest appending a user request record with the unique identifier associated with a content object included within a generated Web page. Moreover, the following recited element of Claim 9 - "appending the stored record of the user request with the first and second identifiers associated with the first and second content objects included within the generated Web page" - is neither taught nor suggested by Wodarz or Blumenau, alone or in combination.

Thus, independent Claim 9 and all claims dependent therefrom (Claims 10-12) are patentable over Wodarz and Blumenau, alone or in combination. For at least the same reasons, Claims 28-31 and 47-50 are patentable. As such, withdrawal of the present rejections under 35 U.S.C. §103 is respectfully requested.

### **C. Independent Claim 13**

Regarding independent Claim 13, the Action states that Wodarz teaches associating dynamically generated Web page content with a user who requests a web page from a web server via a web client in communication with the web server and cites Col. 1, Lines 35-52 of Wodarz in support thereof. The cited passage is set forth below.

The invention schedules and rotates available ads for particular pages. The invention includes one or more prototype or template web pages that have conventional hypertext mark-up language (HTML) codes defining the format and content of each web page. In addition, special "ad tags" are used to indicate the characteristics of an ad that can be displayed on a web page at the position of the ad tag. When a user requests a web page to view, the request is sent to a server-resident parser. The server-resident parser accesses the template for the requested page, parses the conventional HTML codes, and provides such codes to the user. In addition, the parser "expands" each ad tag to standard HTML code that defines the characteristics of an ad. The expanded HTML code is transmitted to the user. The HTML code received by the user is converted to a viewable web page by a client-resident HTML browser program, in known fashion.

Nothing in this passage teaches or suggests associating dynamically generated web page content with a user who requests a Web page as recited in Applicants' independent Claim 1. Applicants respectfully request the Examiner to specifically identify where in Wodarz this recited element is described.

Thus, independent Claim 13 and all claims dependent therefrom (Claims 14-19) are patentable over Wodarz and Blumenau, alone or in combination. For at least the same reasons, Claims 32-38 and 50-57 are patentable. As such, withdrawal of the present rejections under 35 U.S.C. §103 is respectfully requested.

### **Other Claims Are Independently Patentable**

Claims 6, 12 and 19 are patentable by virtue of their dependence on patentable Claims 1, 9 and 13, respectively, as described above. In addition, Claims 6, 12 and 19 each recite "analyzing a plurality of stored user request records to determine Web content preferences of a user." The Action states that Wodarz discloses the method of Claim 1 further comprising "the step of a parser program using algorithms to select appropriate ads, which implies the step of analyzing a plurality of stored user request records to determine



web content preferences of a user" and cites Col. 2, Lines 7-14 of Wodarz in support thereof. (Action, page 7). The cited passage is set forth below.

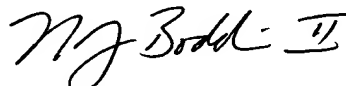
The parser program can apply scheduling criteria to select ads from the generated list of eligible candidates, such as: a "least recently viewed" algorithm; random selection; selection based upon time of day; selection based upon user-specific characteristics, such as age, sex, language, etc.; and selection based upon the maximum number of times that an ad has been viewed in a specific time period.

The cited passage merely describes applying scheduling criteria to select ads from a list of ads. Nothing in the cited passage teaches or suggests analyzing stored *user request records*. Moreover, the cited passage does not provide clear and particular evidence of a suggestion to analyze user request records. Thus, Claims 6, 12 and 19 are independently patentable. For at least the same reasons, Claims 25, 31, 38, 44, 50 and 57 are independently patentable.

### Conclusion

In view of the above amendments and arguments, it is respectfully submitted that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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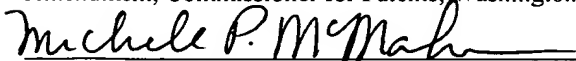
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Michele P. McMahan  
Date of Signature: January 8, 2002